

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CHESTER LEROY SPAYD, III,  
Petitioner

NO. 2:07-cv-5297

VS.

HARRY E. WILSON,  
AND  
THE DISTRICT ATTORNEY  
OF THE COUNTY OF BERKS,  
AND  
THE ATTORNEY GENERAL OF  
THE STATE OF PENNSYLVANIA,  
Respondents

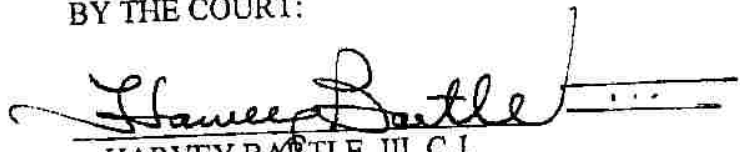
**ORDER**

HARVEY BARTLE, III, C.J.

AND NOW, this 1st day of July, 2008, upon careful and independent consideration of the petition for writ of habeas corpus, and after review of the Report and Recommendation of United States Magistrate Judge Jacob P. Hart, IT IS ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. The petition for a writ of habeas corpus is DISMISSED.
3. There is no basis for the issuance of a certificate of appealability.

BY THE COURT:

  
HARVEY BARTLE, III, C.J.